

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO: DCKA-2018-S-0051
CAPTION: Construction Engineering Support Services for Construction of Fiber Optic Networks along DC freeways
PROPOSED CONTRACTOR: HNTB District of Columbia
PROGRAM AGENCY: District Department of Transportation
AUTHORIZATION: : D.C. Official Code §2-354.04, 27 DCMR 1304 and 1700, 27 DCMR 1701

1. MINIMUM NEED:

The District Department of Transportation (DDOT) has an ongoing need for the Design Consultant (HNTB) to continue to provide DDOT design related Engineering Support Services during the construction phase for five hundred forty eight (548) days after notice to proceed of this task order contract.

2. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price for this extension is \$52,478.01.

3. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A. After a Request for Qualifications process, HNTB was selected to provide the Professional Engineering Design Services for the Construction of Fiber Optic Network Implementation along DC Freeways. The project area spans the entire Anacostia Freeway (DC-295), I-395 and I-695. HNTB has completed the design phase tasks. Bids were opened and award of the construction contract is pending. It is anticipated that the construction contract will commence in May 2018.
- B. The estimated fair and reasonable price for this extension is \$52,478.01.
- C. During the construction phase, DDOT needs assistance from a consultant in reviewing construction shop drawings, reviewing bid documents, resolving field construction problems, responding to Construction RFI's and reviewing both change orders and compliance of special material submittals per the specifications. HNTB has intimate knowledge of the project.
- D. HNTB has demonstrated itself to be a responsible Contractor and has the resources and personnel to perform the required work in a manner satisfactory to the District. HNTB has existing personnel and resources in place, to provide the needed service.
- E. Re-competing the contract for assumption of design Engineer of Record responsibility and the subsequent Construction Engineering Support Services would likely cause project construction to be delayed due to the lack of ability to modify design plans. In addition, as HNTB is the designer of record, only HNTB can modify their designs without shifting associated liability to the District.

- F. It is not feasible that another contractor could, following a competitive effort, complete the additional needed services without adding significant time and cost to the District.
- G. These services were originally competed and three vendors evaluated. HNTB was the selected vendor.
- H. For the above stated reasons no market survey was conducted.

4. CERTIFICATION BY CONTRACT SPECIALIST

I hereby certify that the above findings are correct and complete to the best of my knowledge.

Date

Jeralyn Johnson
Contract Specialist

5. CERTIFICATION BY CHIEF OPERATIONS OFFICER

I hereby certify that the above findings are true, correct and complete.

Date

Suzette Robinson
Chief Operations Officer
District Department of Transportation

6. CERTIFICATION BY AGENCY HEAD

I hereby certify that the above findings are true, correct and complete.

Date

Jeff Marootian, Director
District Department of Transportation

7. CERTIFICATION BY CONTRACTING OFFICER

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

William E. Sharp
Chief Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter, III
Chief Procurement Officer